REMARKS/ARGUMENTS

Claims 1 to 21 were rejected under 35 U.S.C. §102(e) as being anticipated by Carruthers et al., U.S. Patent No. 7,174,305. Claim 1 has been amended. Claims 2 to 21 have been cancelled without prejudice. New claims 22 to 38 have been added. Support for new claims 22 to 38 is found in the specification, e.g. paragraphs [0006] to [0027] of U.S. Patent Publication No.2004-0093253.

Reconsideration of the application is respectfully requested.

35 U.S.C. 102(e) Rejections

Claims 1 to 21 were rejected under 35 U.S.C. §102(e) as being anticipated by Carruthers et al., U.S. Patent No. 7,174,305.

Carruthers discloses "a method and system for scheduling targeted content delivery to online users." See Carruthers, col. 1, lines 40 to 41.

Amended claim 1 of the present application recites:

An advertisement delivery/management system for delivering an advertisement according to priority on a viewer-by-viewer basis, comprising:

an advertisement delivery server for delivering an advertisement to a viewer;

advertisement delivery management means for managing said advertisements to be delivered from said advertisement delivery server to said viewer in accordance with a priority; and

an advertisement database for storing advertisement digital data of said advertisement to be delivered from said advertisement delivery server,

wherein said advertisement delivery management means includes:

advertisement verification means for verifying a particularity of said advertisement to be delivered; and

advertisement digital data change/update means for changing or updating said advertisement digital data stored in said advertisement database, and

wherein said advertisement verification means is operable to:

calculate an authorization coefficient for said particularity of said advertisement to be delivered; and

determine, based on said calculated authorization coefficient, whether a delivery of said advertisement to be delivered is authorized by (a) verifying a broadcast authorization information pre-registered for said

advertisement to be delivered, and a specific condition to be determined at a time of a delivery of said advertisement to be delivered, and/or (b) verifying whether a category, a product or an advertiser of an advertisement to be prepared for a delivery in priority is matched with a requirement of a currently accessing program provider, or of a program into which said advertisement is to be inserted, and/or (c) verifying whether a program or a program type, into which said advertisement to be prepared for a delivery in priority is inserted, is an insertion-rejection program or an insertion-rejection program type by an advertiser of said advertisement.

Carruthers et al., discloses a Capacity Forecaster 52 that: "reviews new campaigns proposed by advertisers and predicts whether their campaign objectives are achievable in view of forecasted inventory of user screen real estate." See Carruthers, col. 4, lines 17 to 19. "The Capacity Forecaster component 52 assists in predicting the success of a campaign proposed by an advertiser." See Carruthers, col. 4, lines 55 to 56. "The Capacity Forecaster 52 determines campaign achievability by examining the number of qualified subscribers who match the campaign's profile using the Matcher and then calculating the current load (or alternatively, the available capacity, i.e., surplus) on those users due to previously scheduled campaigns." See Carruthers, col. 5, lines 4 to 9. The Capacity Forecaster 52 "can periodically re-evaluate campaigns currently under execution, and determine their probability of success, e.g., whether the system will be able to schedule the contracted number of content deliveries based on delivery data feedback that has been received. Again, the Forecaster 52 can determine whether constraints set by the advertiser should be relaxed in order to increase the likelihood of success of the campaign." See Carruthers, col. 5, lines 25 to 32.

The Dynamic Campaign 50 in Carruthers et al. only "provides a portal to the system for advertisers (or Ad buyers or media buyers who act on behalf of advertisers) to initiate and manage their advertising campaigns." See Carruthers, col. 3, lines 61 to 66. However, Carruthers et al. does not disclose what the term "advertising campaigns" represents.

The Inventory Manager 51 in Carruthers et al. "generates a candidate plan to fulfill new and existing advertiser contracts and to optimize usage of surplus user screen real estate." See Carruthers, col. 4, lines 17 to 19. It also modifies the plan as needed based on delivery feedback information received from the On-Demand Scheduler 70. See Carruthers, col. 4, lines 19 to 22.

The Delivery Manager 54 in Carruthers et al. "generates the best plan for the current days scheduled deliveries. See Carruthers, col. 4, lines 22 to 23. It is also responsible for balancing deliveries within a day and processing the results of the On-Demand Scheduler. See Carruthers, col. 4, lines 23 to 26. Carruthers et al. discloses that the Delivery Manager 54 can reorder or reprioritize the master list of scheduled advertisements based upon delivery feedback data and queuing logic/algorithms. See Carruthers, col. 5, line 59 to 61.

The On-Demand Scheduler 70 of Carruthers, et al. "dynamically constructs delivery schedules for individual users on user login." See Carruthers, col. 6, line 5 to 7.

Carruthers does not show or teach "wherein said advertisement verification means is operable to: calculate an authorization coefficient for said particularity of said advertisement to be delivered; and determine, based on said calculated authorization coefficient, whether a delivery of said advertisement to be delivered is authorized by (a) verifying a broadcast authorization information pre-registered for said advertisement to be delivered, and a specific condition to be determined at a time of a delivery of said advertisement to be delivered, and/or (b) verifying whether a category, a product or an advertiser of an advertisement to be prepared for a delivery in priority is matched with a requirement of a currently accessing program provider, or of a program into which said advertisement is to be inserted, and/or (c) verifying whether a program or a program type, into which said advertisement to be prepared for a delivery in priority is inserted, is an insertion-rejection program or an insertion-rejection program type by an advertiser of said advertisement" as recited in amended claim 1 of the present application.

Furthermore, the advertisement verification means of the present invention may be operable in different ways, depending on the particularity of the advertisement to be delivered (or the managed advertisement in the following passages), as disclosed in paragraphs [0012] to [0017] in the specification as published in U.S. Patent Publication No. 200-0093253.

Applicants respectfully submit that the combination of the Dynamic Campaign Manager 50, Inventory Manager 51, Delivery Manager 54, On-Demand Scheduler 70 and Forecaster 52" as disclosed in Carruthers et al. does not show or teach the functions and/or abilities of the "advertisement verification means" as recited in amended claim 1 of the present invention.

Withdrawal of the rejection to the claim 1 under 35 U.S.C. §102(e) is respectfully requested.

New claims 22 to 27 are dependent on claim 1 of the present invention. For the reasons stated above regarding claim 1, Applicants respectfully submit that claims 22 to 27 are patentable over Carruthers et al.

New claim 28 recites:

"An advertisement delivery/management method of delivering an advertisement according to priority on a viewer-by-viewer basis, comprising the steps of:
        delivering an advertisement to a viewer;
        managing said advertisement to be delivered to said viewer in accordance with a priority; and
        storing advertisement digital data of said advertisement to be delivered, into an advertisement database,
wherein said step of managing advertisement includes the steps of:
verifying a particularity of said advertisement to be delivered; and
        changing/updating said advertisement digital data stored in said advertisement database,
        wherein said step of verifying includes the steps of:
        calculating an authorization coefficient for said particularity of said advertisement to be delivered; and

determining, based on said calculated authorization coefficient, whether a delivery of said advertisement to be delivered is authorized by (a) verifying a broadcast authorization information pre-registered for said advertisement to be delivered, and a specific condition to be determined at a time of a delivery of said advertisement to be delivered, and/or (b) verifying whether a category, a product or an advertiser of an advertisement to be prepared for a delivery in priority is matched with a requirement of a currently accessing program provider, or of a program into which said advertisement is to be inserted, and/or (c) verifying whether a program or a program type, into which said advertisement to be prepared for a delivery in priority is inserted, is an insertion-rejection program or an insertion-rejection program type by an advertiser of said advertisement.

For the reasons set forth above, Carruthers does not show "wherein said step of verifying includes the steps of: calculating an authorization coefficient for said particularity of said advertisement to be delivered; and determining, based on said calculated authorization coefficient, whether a delivery of said advertisement to be delivered is authorized by (a) verifying a broadcast authorization information pre-registered for said advertisement to be delivered, and a specific condition to be determined at a time of a delivery of said advertisement to be delivered, and/or (b) verifying whether a category, a product or an advertiser of an advertisement to be prepared for a delivery in priority is matched with a requirement of a currently accessing program provider, or of a program into which said advertisement is to be inserted, and/or (c) verifying whether a program or a program type, into which said advertisement to be prepared for a delivery in priority is inserted, is an insertion-rejection program or an insertion-rejection program type by an advertiser of said advertisement" as recited in claim 28.

Consideration and allowance of claim 28 is respectfully requested.

New claims 29 to 34 are dependent on claim 28 of the present invention. For the reasons stated above regarding claim 28, Applicants respectfully submit that claims 29 to 34 are patentable over Carruthers et al.

Furthermore, as to claim 35, Carruthers fails to show or teach the limitation of an: "advertisement-delivery priority management means for determining a priority-determining coefficient of an advertisement for a client; advertisement-authorization management means for determining said advertisement for said client, and an authorization coefficient of said advertisement, respectively."

Furthermore, as to claim 36, Carruthers further fails to show or teach the limitation of: "determining a priority-determining coefficient of an advertisement for a client; determining said advertisement for said client and an authorization coefficient of a particularity of said advertisement; determining an advertisement delivery schedule in accordance with said determined priority-determining coefficient and said determined authorization coefficient."

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,
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